IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.855 OF 2006

Zaibunissa Anwar Memon ...Applicant

Versus

Senior Inspector of Police & Anr. ...Respondents

Shri V.S.Rajguru for the Applicant.

Mrs M.M.Deshmukh, A.P.P for the State.

Shri Vipin Kamadi for the Applicant in Criminal Application No.178 of 2006.

CORAM : A. S. OKA, J.

DATE : NOVEMBER 28, 2006.

P.C.:

1. The learned Advocate appearing for the Applicant in Criminal Application No.178 of 2006 has placed on record a copy of order dated 17th July, 2006 passed by this court in Suit (Lodging) No.1289 of 2006. He has also produced a xerox copy of letter written by Rashida Yusuf Thim addressed to the Senior Inspector of Oshivara Police Station, Mumbai. He has also produced a xerox copy of memorandum of understanding dated 27th June, 2006 executed by and between the said Rashida Thim (the Applicant in Criminal Application No.178 of 2006) and the Applicant in the present Criminal Application. He states that on the basis of memorandum

of understanding, the Applicant in Criminal Application No.178 of 2006 has been placed in possession of the property subject matter of Criminal Application No.855 of 2006. The learned A.P.P on instructions of the concerned officer confirms the correctness of the aforesaid facts. The learned Advocate for the Applicant in this Application states that the Applicant has not contacted him after filing of the Application.

2. The aforesaid statements made by the Advocate for the Applicant in Criminal Application No.178 of 2006 are accepted. In view of the said statements, nothing survives in this Criminal Application as the same has become infructuous. Rejected as such.

JUDGE